

**EXHIBIT B:**

*April 22, 2024, Letter from U.S. Customs & Border Protection*

U.S. DEPARTMENT OF HOMELAND SECURITY  
Office of Associate Chief Counsel  
610 South Canal Street, Room 767  
Chicago, Illinois 60607-4523  
Office: (312) 983-9200 Fax: (312) 353-9206



**U.S. Customs and  
Border Protection**

DATE: April 22, 2024  
FILE: CO-2024-00297/LEW

**VIA ELECTRONIC MAIL**  
**(meghann@denevanfalon.com)**

Meghann M. Joyce  
Denevan Falon Joyce LLC.  
100 S. Dakota Ave, 2<sup>nd</sup> Floor  
Sioux Falls, SD 57104

**Re:** *Buergofol Gmbh v. Omega Liner Company, Inc.*, Civil Action 4:22-cv-04112  
(D.S.D.); Subpoena Duces Tecum for CBP Records for Buergofol, Saertex,  
Brandeburger, Sudpack, Reline, Impreg, Light Stream, International Pipe  
Lining, Monte Vista

Dear Ms. Joyce:

We have received an electronic copy of an April 1, 2024 dated Subpoena Duces Tecum and a related attachment that you issued on behalf of your client, the Defendant, Omega Liner Company, Inc. The Subpoena was issued in connection with the above-referenced case, and seeks voluminous records pertaining to the following nine companies: Buergofol, Saertex, Brandeburger, Sudpack, Reline, Impreg, Light Stream, International Pipe Lining, and Monte Vista. Please be advised that your demand for information will be governed by the regulations found in 19 C.F.R. Part 103, and that you will need to comply with those regulations before we can consider the demand.

In connection with a demand for records maintained by this agency, 19 C.F.R. §§ 103.22(c) and (d) require that, along with a demand for information, the requesting party also provide CBP with a copy of the Summons and Complaint and provide an affidavit or a statement that sets forth a summary of the documents or testimony sought and their relevance to the proceedings, at least ten (10) working days prior to the scheduled production date. You will therefore need to provide this office with a copy of the Summons and Complaint and the affidavit or statement described above before we can process your demand. While a procedurally proper demand will facilitate our preparation of a response, you should be aware that CBP does not routinely provide documents in a court proceeding such as this, in which the agency has no interest.

You may wish to review the factors we use in determining whether to authorize the production of information in third party litigation. These factors are found at 19 C.F.R. § 103.23. Please provide the additional required information to the undersigned at the above address in a hardcopy format. Upon review of the Complaint and affidavit, we will advise you of our decision as expeditiously as possible.

If you have any questions, please contact Lois Wetzel of this office at (313) 400-9638.



---

FOR: Kathleen Bucholtz  
Associate Chief Counsel